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FACSIMILE TRANSMISSION COVER SHEET

Date: April 21, 2008

To: United States Patent and Trademark Office
Mail Stop Appeal Brief - Patents

Fax: (571) 273-8300

Re: **Application Serial No.: 09/898,164**
Filing Date: 7/2/2001; First-Named Inventor: Haseltine
Attorney Docket No.: 0260123

From: Farjami & Farjami LLP

Number of pages including the cover sheet: 6

Message:

Enclosed please find the Response to Notification of Non-Compliant Appeal Brief dated April 11, 2008 and replacement pages 5, 6, and 6-1.

Thank you.

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Attorney Docket No.: 0260123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 21 2008

In re Application of: **Haseltine, et al.**

Art Unit: 3622

Application Serial No.: **09/898,164**

Examiner: Champagne, Donald L.

Filed: **July 2, 2001**

For: **Processes for Exploiting Electronic
Tokens to Increase Broadcasting
Revenues**

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief – Patents
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

This is in response to the Notification of Non-Compliant Appeal Brief, dated April 11, 2008. The Notification of Non-Compliant Appeal Brief states that “The summary of claimed subject matter fails to provide a concise explanation of each independent claim 1, 38, 58, 65 which shall refer to the specification by page and line number.”


By the present response, applicant has revised the summary of claimed subject matter to provide a concise explanation of each independent claim 1, 38, 58 and 65, by

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referring to the specification by page and line number, as shown in the enclosed revised pages 5, 6 and 6-1, which are to replace the original pages 5 and 6 of the Appeal Brief.

Accordingly, applicant respectfully submits that the objection to the Appeal Brief has been overcome. Applicant respectfully invited the Patent Appeal Center Specialist to contact the undersigned by telephone for any questions or comments.

Respectfully Submitted,
FARJAMI & FARJAMI LLP


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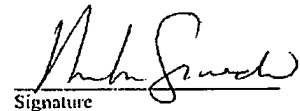
I hereby certify that this correspondence is being filed by facsimile transmission to United States Patent and Trademark Office at facsimile number (571) 273-8300, on the date stated below.

4/21/08

Date

Marci M. Sweda

Name


Signature

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A. Claim 1

Independent claim 1 claims a method for providing incentive to a user to receive information. (See Paragraphs [0005, page 1, lines 26-29], [0013, page 2, lines 18-20] and [0043, page 1, lines 9-20].) The method comprises providing a programming broadcast signal (332) to a broadcast receiving appliance (334) (See Paragraphs [0017, page 3, line 24 – page 4, line 2] and [0029, page 6, line 27 – page 7, line 10]); providing a token embedded in an audio signal of the programming broadcast signal (326, 338) (See Paragraphs [0017, page 3, line 24 – page 4, line 2], [0029, page 6, line 27 – page 7, line 10] and [0030, page 7, lines 11-18]); receiving, by the broadcast receiving appliance, the token embedded in the audio signal of the programming broadcast signal (336) (See Paragraphs [0017, page 3, line 24 – page 4, line 2], [0029, page 6, line 27 – page 7, line 10]); emitting, by the broadcast receiving appliance, the audio signal including the token from the broadcast receiving appliance (336) (See Paragraphs [0017, page 3, line 24 – page 4, line 2], [0029, page 6, line 27 – page 7, line 10]), wherein the token is emitted outside of a normal hearing frequency range of an acoustic spectrum of the audio signal (See Paragraph [0029, page 6, line 27 – page 7, line 10]); providing a token capture device (306) configured to receive the token during the emitting of the programming (See Paragraphs [0028, page 6, lines 10-26] and [0031, page 7, lines 19-27]); and providing an incentive for using the token capture device to receive the token. (See Paragraphs [0005, page 1, lines 26-29], [0013, page 2, lines 18-20] and [0043, page 1, lines 9-20].)

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B. Claim 38

Independent claim 38 claims a system for providing incentive to receive advertising using a token associated with a broadcast signal. (See Paragraphs [0005, page 1, lines 26-29], [0013, page 2, lines 18-20] and [0043, page 1, lines 9-20].) The system comprises a broadcast receiving appliance (334, 336) operable to receive the broadcast signal including a token, wherein the token is embedded in an audio signal of the broadcast signal (326, 338) (See Paragraphs [0017, page 3, line 24 – page 4, line 2], [0029, page 6, line 27 – page 7, line 10] and [0030, page 7, lines 11-18]); the broadcast receiving appliance (334, 336) operable to emit the audio signal including the token (See Paragraphs [0017, page 3, line 24 – page 4, line 2], [0029, page 6, line 27 – page 7, line 10]); a token capture device (306) configured to receive the token emitted from the broadcast receiving appliance (See Paragraphs [0028, page 6, lines 10-26] and [0031, page 7, lines 19-27]); outside of a normal hearing frequency range of an acoustic spectrum of the audio signal (See Paragraph [0029, page 6, line 27 – page 7, line 10]); a means for providing incentive to a token capture device user to cause the token capture device to receive the token signal. (See Paragraphs [0005, page 1, lines 26-29], [0013, page 2, lines 18-20] and [0043, page 1, lines 9-20].)

C. Claim 58

Independent claim 58 claims a method for providing an incentive to a user to receive information. (See Paragraphs [0005, page 1, lines 26-29], [0013, page 2, lines 18-20] and [0043, page 1, lines 9-20].) The method comprises receiving a programming

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broadcast signal (334) (See Paragraphs [0017, page 3, line 24 – page 4, line 2], [0029, page 6, line 27 – page 7, line 10]); receiving a token as part of the programming broadcast signal (334), wherein the token provides the incentive, and wherein the token is embedded in an audio signal of the programming broadcast signal (326, 338) (See Paragraphs [Paragraphs [0017, page 3, line 24 – page 4, line 2], [0029, page 6, line 27 – page 7, line 10] and [0030, page 7, lines 11-18]); and emitting an audio signal including the token outside of a normal hearing frequency range of an acoustic spectrum of the audio signal (336). (See Paragraphs [0017, page 3, line 24 – page 4, line 2], [0029, page 6, line 27 – page 7, line 10].)

D. Claim 65

Independent claim 65 claims a broadcast receiving system for providing an incentive to a user to receive information. (See Paragraphs [0005, page 1, lines 26-29], [0013, page 2, lines 18-20] and [0043, page 1, lines 9-20].) The broadcast receiving system comprises a receiver (334) operable to receive a programming broadcast signal including a token embedded in the audio signal of the programming broadcast signal, wherein the token provides the incentive (See Paragraphs [0017, page 3, line 24 – page 4, line 2], [0029, page 6, line 27 – page 7, line 10] and [0030, page 7, lines 11-18]); and a transmitter (336) operable to emit the audio signal including the token outside of a normal hearing frequency range of an acoustic spectrum of the audio signal. (See Paragraphs [0017, page 3, line 24 – page 4, line 2], [0029, page 6, line 27 – page 7, line 10] and [0030, page 7, lines 11-18].)